IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 14TH AUGUST 2007 / 23RD SRAVANA 1929

Bail Appl..No. 4904 of 2007()

CMP.1558/2007 of J.M.F.C.-II, HARIPAD
CRIME NO.83/07 OF KAYAMKULAM EXCISE RANGE.

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: PETITIONER/ACCUSED

RADHAKRISHNAN, S/O. KOCHUKUTTY,
VAYALVARETHU, ERUVA MURI, PATHIYOOR VILLAGE.

BY ADV. SRI.R.REJI
SMT.C.A.AJITHA SALAM

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, REPRESENTING THE EXCISE INSPECTOR,
KAYAMKULAM EXCISE RANGE.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 4904 of 2007

Dated this the 14th day of August, 2007

ORDER

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 10 litres of arrack and 80 litres of Wash on 12/7/07. He surrendered on 18/7/07 and continues in custody from that date. The petitioner is an accused in another case also under the Abkari Act.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not seriously oppose the said prayer on condition that the Investigator is granted reasonable further time to complete the investigation and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) This application is allowed. The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall not be released from custody on

the strength of this order prior to 25/8/07. The Investigator shall, in the meantime, make every endeavour to complete the investigation.

(ii) The petitioner shall execute a bond for Rs.50,000/- with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(iii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT, JUDGE)

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